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do the work? Well, just one trial will prove it.

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VETERAN STAGE MAN FALLS TO HIS DEATH

Frank Nash Meets With a Fatal Accident Near Troy, Ariz.

Hayden. Ariz., Aug. 6.—Word has been received in Hayden to the effect that Frank Nash, one of Arizona's old settlers, was instantly killed as a result of an accident to the stage which he was driving. He ran a stage between Ray and Globe, making his home at a stopping place midway between the two towns called Ploneer. The the two towns called Pioneer. The stage was making the hill near Troy, when one of the leaders becoming excited, jumped over the pole of the wagon and broke his leg. Nash rose and shot the horse from the stage so as to prevent a ronaway. The other borses became unmanageable and jumping to one side carried the stage and occupants over the side of the road into a small canyon. Nash was thrown out, and fell to his death. Nash was well known in this vicinity among the

well known in this vicinity among the old times.

L. S. Cates, superintendent of Mines for the Ray Consolidated Copper company was in Hayden on business.

L. Doer, southwestern manager for the American Smelting & Refining company is paying Hayden a visit. It is rumored that the purpose of his visit is to look into the matter of erecting a couple of blast furnaces here in order to bandle custom ores.

a couple of blast furnaces here in order to handle custom ores.

The local tennis courts are practically completed, and after a month's rest, local players are centempialing some fast practice work. The Sherwood Aldrich cup, which is now in the hands of the Ray aggregation, is the prize for which local players will soon match their strength.

Considerable excavation work is be-

match their strength.

Considerable excavetion work is being done around Hayden Terrace, where two new houses similar to those already built, will be put up.

Krancis Kneaves, a resident of Hayden for the past year, left today for his former home in Mississippi, where he will remain with relatives for a month or two. He contemplates returning in the fall to Clifton, where it his linentions materialize, he will enter the livery business with other parties.

S. D. Foster has left Hayden for Miami, where he will locate. His wife will remain in Hayden, with her sister.

Mrs. Edwards for awhite.

Rev. A. D. Hawley held his regular bi-monthly services in the local school house.

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CASEY IS REMANDED TO JAIL WI BAIL AT GONGLUSION OF EXAMINING

G. W. Amberson Testifies That He Fired One Shot at Casey, but That It Was After Casey Had Fired at Him-Course of Bullets Traced as an Important Feature of the Case.

CASEY IS REMOVED
PROM JAIL TO HOSPITAL.
J. P. Casey, jr., charged with
the shooting of W. J. Amberson Saturday night, was removed from the county jail to Hotel Dieu Tuesday morning. Casey was shot in the arm and is suffering greatly from the wound, it is said.

John P. Casey, jr., arrested Saturday night in connection with the death of William J. Amberson, was remanded to jail without bail by justice E. B. Mc-Clintock, following an examining trial held Monday afternoon in the 54th district courtroom.

The trial was scheduled to take place The trial was scheduled to take place at 2 octock Monday afternoon in justice McClintock's courtroom in the basement of the courthouse. Long before the arrival of that hour, the place was filled. After a consultation with county attorney W. W. Bridgers, justice McClintock announced that adjournment would be taken to judge J. Journment would be taken to judge J. R. Harper's courtroom. Following which the crowd engaged in a wild dash for that courtroom. The large room of the 54th district court was packed. Many persons lined the railing during the course of the examination, and several times were told by the constables that they would have to stand back.

stand back.

Mrs. C. F. Hunt, a sister of the defendant, accompanied by Mr. Hunt.

Mrs. F. Wilson, who is visiting Mrs.

Hunt, and Mrs. J. Hunt was sitting in the courtroom when Victor Moore, T.

A. Falvey and J. U. Sweeney, attorneys for Casey, walked into the courtroom. Casey Is Brought In.

Casey is Brought in.

It was after r oclock when Casey, escerted by constable Brown, walked in. The constable had to clear his way through the crowd which persisted in standing at the railing. Casey had his right arm in a sling. He was smoking a cigar, When he approached his sister, Mrs. C. F. Hunt rose, and kissed him. Casey then sat down, and Mrs. Hunt moved her chair next to his, and there remained seated during the trial. Mrs. Hunt, during the progress of the trial, and prior to it, held consultable, with each of the attorneys representing her brother.

The fact that the shot which struck Casey was fired by C. W. (or "Jack") Amberson, not by Will Amberson, as was at first thought, was established when "Jack" Amberson was put on the

when "lack" Amberson was established when "lack" Amberson was put on the stand. The witness himself testified that he bad fired at him.

Traces Course of Bullets.

Although Mr. Sweeney and Mr. Falvey sat directly behind Mr. Moore, and suggested questions to be propounded to the witnesses introduced by the state, it was Mr. Moore who conducted the proceedings of the trial in behalf of the defendant. The attorney's chief interest in the trial was manifested in trying to establish the exact number of shots that had been fired Satin trying to establish the exact number of shots that had been fired Saturday night, and in producing evidence where each and every one of them came from. That the marks made by the bullets on the inside of the Bellevue messenger office will play an important part when the case finally goes to trial was clearly indicated by Mt. Moore's porsistency in trying to get each witness to state whether the indentation of the bullet had been made by any fired outside or by one fired on by one fired outside or by one fired on

the inside of the office.

According to the testimony of C. L. Foerster, one, if not two shots, were

Moore asked the witness Foerster if he had not heard Mr. Casey state to Will Amberson in the presence of witness Amberson in the present he had some and Jack Amberson, that he had some Amberson, and said that he would be

Amberson, and said that he would be back to make the service. The witness said that he had heard this.

Another point brought out by the defence was that firearms had not been seen around the place, and none of the messenger boys ever carried pistols. Every witness testified as to his surprise when they were told that Jack Amberson had a pistol. Not one of them appeared to know that it was Jack Amberson who fired the shot at Casey.

There was no eyewitness to the shooting of Will Amberson, and this, taken into connection with the fact that was established by the attorneys for the defence, that there were shots fired from the outside of the building. will, it was indicated, form an import-ant part of the defence that will be put up when the desendant is put on

The Land in Dispute. The Casey property that seems to be in dispute among the heirs under the Casey will, according to Mrs. C. F. Hunt, is a 1019 acre tract of land located in Dona Ana county, N. M. According to her statement, the heirs under the will filed a suit some months ago in which this property was involved. The property, it was said, was left in trust to Will Amberson. The ittigation hinted at during the examining trial Monday, it was stated, was over the Dona Ana property, and in this constitution.

in this connection the papers that Casey was said to have had Saturday night had something to do with it. Robertson Released.

J. Pinkey Robertson, who was arrested Saturday night in connection with the killing of Amberson, was released Monday afternoon by justice McClintock after the conclusion of the examining trial. There was nothing brought out at the trial that in any way connected Robertson with the case.

It is probable that habeas corpus

It is probable that habeas corpus proceedings will be resorted to in an effort to get Casey released on bond. County attorney Bridgers was assisting in the trial by W. H. McBroom.

Brother of Dend Man Testifies.

G. W. Amberson, a brother of the dead man, was the first witness put on the stand by the state. He testified as follows: "I am commonly known as Jack Amberson. I was in business with my brother for two years. I was working with him. His full name was William Jasper Amberson. He is dead.

"Saturday night at 10 ociock I was at the Bellevue messenger service office, 465 Texas street. El Paso.

"I saw Mr. Casey that night about 5:30 or 16 ociock. I first saw him on the curbing. I was just starting out to take a call at the White House. Mr. Casey was walking directly toward me from across the street. The office, faces south on Texas street. I was just walking out of the front door when Casey spoke to me, and I stopped. He was going north When I first saw him he was in the street, 10 feet from the curbing in front of the office, not directly in front of the office, a little southeast. The first word he said was: 'Tack Amberson, where's Will?' I told him that he was in the office. Tell him to come out here,' were his next words. I told him no, that I would not him that he was in the office. Tell I we him to come out here, were his next words. I told him no, that I would not do it. I was not looking for any trouble. He then said that if I would not go in and tell him to come out he would. He said that if I interfered he would kill me too.

then I shot at him. He walked out of the office, and I went in. My brother was lying on the left side of the partition, half sitting up and half lying down. He was on the left of the partition as you go in.

"My brother was at the desk when I first came out. He gave me the order to go to the White House. I went to the emergency hospital with him.

"When I fired at Casey I gaw his arm drop. He fired at me first. I don't know whether he shot after that or not."

Cross Examined. On cross examination the witness stated: "There were no shots fired from the outside that I know of. I was to the left of Casey when I fired the shot. I fired only one shot. The last time I saw my brother he was sitting at the desk, and the next time I saw him he was in the back room. I never saw him from that time until I saw Casey. Casey went into the

I saw Casey Casey went into the back room. I never saw Casey fire any shots until he fired at me.

"Yes I had a pistel in my pocket.

I was not expecting any trouble. I did not hear of any trouble that had occurred between my brother and Mr. Casey earlier in the evening. Casey went into the back room."

Moore—"When you knew that he was after your brothers and knew that he

after your brother; and knew that he was going in the office after him, and you had the pistol, and his back was turned toward you, why did you not stop him?"

Witness—'I did not want to have any trouble. Yes, I could see that he was mad No. I did not hear of anylitigation between them. I did not hear of any trouble that had occurred earlier in the evening. I haven't talked to any

trouble that had occurred earlier in the crening. I haven't talked to anyone about the trouble. I made an examination of the building; there were five or six shots.

"Casey fired at me before I fired. There were four shots fired in the back room. Casey fired at me when he was coming out I stepped around behind the building. I had a pistol. There were five loads in it. I, fired only one. "No one else came across the street with Mr. Casey. There were no shots fired in the back room that came out with Mr. Casey. There were no shots fired in the back room that came out at the front. I was standing where the glass window is broken out. Yes, there was a brick wall there protecting my body. Casey was between the partition wall door coming out. I don't know how many shots my brother

"My brother was the only man in the office. I had not been in the back room. There were no lights back there. Just as I walked out of the door my brother I suppose got up and walked in the back room. I don't know where he was at the time of the shooting. Foerster was in the office when I walked in. I don't know how he got there. I don't know where he was at the time of the shooting. I don't know how he came in. I was stooping over my dead brother when I stooping over my dead brother when I

'After I saw my brother's condition I left for my house, 1231 Myrtle ave-nue. I left my motorcycie at the curb-ing there and then I went over to tell

According to the testimony of C. L. Foerster, one, if not two shots, were fired from the outside. Jack Amberson admitted firing the one shot, but denied that he had fired any other. At the time he fired the shot he was standing outside of the office, and fired through the broken glass in the show window of the place.

Testifies as to Papers.

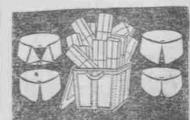
That Cassy, when he went to the Bellevue messenger office Saturday night, had papers to serve on Will Amberson, was brought out when Mr.

According to the testimony of C. L. Brother Fired One Shot.

Brother Fired One Shot.

He had a Winchester. He walked into the office, I heard a shot. Then I heard two or three more. I don't know how many. According to my best judgment there were five or six shots. I was standing opposite the window when I heard the first shot. When I heard the first shot I did not go on the call. I had a gun on. I fired one shot. After the shooting was overnight, had papers to serve on Will Amberson, was brought out when Mr.

Amberson, was brought out when Mr.



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I left for my house, 1231 Myrtle avenue. I left my motorcycle at the curbing there and then I went over to tell Mrs. Amberson about it. His house is at 1305 Myrtle avenue.

'I helped load my brother in the partol. I went to the emergency hospitial with him and then to the Hotel Dieu. Then I came back to the office and went to my home. Those, are the only places I went to that night. Yes, I did go to the Moose's club.

'I rode from the house back to the office in a cab. I don't know the office had been out for some time. He teatified that he lights which had been found broken out at the Bellevus messenger office had been out for some time. I told him that because I saw Mr. Casey advancing, Mr. Amberson ever since the 18th day of June. We were engaged in business together. I saw him hast on Saturday night. Just before and ofter he was shot. At the Ilme he was shot. I was at the telephone at 131 Texas street, which is not quite half a block from the Bellevus office. It was in the fifth time that I had tried to t-sophone the police station. Each time the central had said that the phones were busy. I went to that place to telephone were busy. I went to that place to telephone central had said that the phones were busy. I went to that place to telephone because the phones in the office refused to work.

'I was about 10 colock Saturday night when I loid Mr. Casey advancing, Mr. Casey said the back into the room. I told him that because I saw Mr. Casey said the back of the building and told Mr. Amberson he had better the wind the partition. Mr. Casey said the broken window. I was at the telephone at 131 Texas street, which is not quite half a block from the Bellevus office. It was in the fifth time that I had tried to t-sophone the police of the building at the time the shooting occurred. Mr. Amberson had a pistol. It

tol then?"

Withess—"He got it from me, I got it out of the desk drawer and when I went back to him I gave it to him."

Amberson Alone in Office.
On cross-examination the witness stated that he thought the pistol was of .32 caliber, although he had never examined it. He said that there was



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no one on the inside of the office, but that Jack Amberson, and a measure poor named Fred Drescher, were on the outside. He did not know how many shots Jack Amberson had fired, he said, and added that he did not know that Jack had fired any. Will Amberson, he said, had told him he had had words with his brotheriniaw, and said to him that his brotheriniaw had drawn a knife on him. "He did not say any more." the witness said. "I had not heard about any litigation pending between them."

The witness declared that none of the measure boys carried pistols, and he did not know that Jack Amberson had a pistol. He stated that the pistol that Will Amberson had was always on hand, and that when Will Amberson worked the night shift he had the pistol there. He stated that he had made a casual examination of the place and thought there were four bullet holes on the inside of the building, two, he said, being in the partition, one in the door, and one behind the door.

"The impression made by the bullet in the partition must have been fired from the outside, the witness said. "It looked like a spent ball had made the bruise. The builtet must have been fired from the outside, the witness said. It looked like a spent ball had made the bruise. The builtet must have been fired from the outside unless there was sone one in the office who did it. It could not have been made from the back. It must have been fired either by some one in the office or some one in the street."

Significance Attached to Builets

It was at this point that an indication was given as to what importance

Significance Attached to Builets

It was at this point that an indication was given as to what importance the holes made by the bullets in the office of the Bellevue messenger service may play when the case goes to trial. Mr. Moore, who was conducting the examination of the witness, rose and went to the double windows which lead from the 34th district court room to the balcony in the rear. To illustrate the point that he was trying to bring out by the witness relative to whether the marks on the door had been made by bullets shot from the outside or from the inside, he opened and closed the window several times. That the defence will introduce at the proper time evidence to show that shots were fired from the outside into the building was patent in the close examination of the witness on the point of the character of the marks made by the bullets in the door and other places where the witness had testified that he had seen them.

The witness testified that he did not

The witness testified that he did not The witness testified that he did not know how many shots were fired. That he was angry when he could not get the police station over the phone. He stated that four rifle shells were found and that he had been told there were two shells fired in the pistol. He asserted that he had been in charge of the office, and acting in accordance with the instruction of the police, he had left the office in the condition that it was on Saturday night when Will amberson was shot.

He made the statement that on account of the height of the bullet marks in one of the doors that a man must have been standing on something when the shot was fired.

Shooting Occurs in Back Room.

"Just Amberson and Casey were in

"Just Amberson and Casey were in the back room when the shooting occurred," the witness testified.

He said that he had seen the buggy across the street, and there were three people in it. Casey, he said, came over to the effice alone. He was sure that there was no shots fired from the direction of the buggy. The witness said that he had looked for some of the balls but had not found any, but he understood that the detectives had one.

Jesse C. Stansel, who was in the

court room came forward, and produced the only bullet which it was said could be found in the place. The ball in this instance was stated to have been the one that went through the floor, and had been picked up when the

1111-1115 Terrace Street, Sunset Heights.

board was sawed out.

The witness again reiterated that Casey had said to Jack Amberson that if he interfered he would kill him

Moore—Did you not hear Mr. Casey tell Will Amberson and Jack Amberson in your presence that he had some papers to serve, and he was going to come back and serve them? And didn't you hear Amberson say to Casey that if he did he would kill him? Witness—No, I never heard that. The witness also restified that he had not heard Will Amberson telephoning Casey that afternoon, and he did not believe that Amberson thought he would come back.

Amberson Asked For Pistel.

Amberson Asked For Pistol. When the witness was turned over to Mr. Bridgers again he said that he had given the pistol to Will Amberson at the latter's request, and that Amberson had asked him for it when he saw Casey walking toward the office. The bullet in the door the witness stated must have come from the outside. He did not remember whether the door was closed or open.

J. B. Binkley's Testimony. J. B. Binkley's Testimony.

J. B. Binkley's testimony was as follows: "I was on Texas street Saturday night about 10 oclock. I saw a man in the street with a gun in his hand. The gun looked to me like it was a rifle or a shot gun. The man was in the middle of the street. I stopped for a couple of seconda. We was walk-ing towards the Bellvue messenger service office. I suggested to Howell, who was with me, that we get a policeman. We started down towards Callsher's building and had gone about

(Continued on next page).

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